

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

SUNG SIL MOON

PLAINTIFF

VS.

CAUSE NO: 3:21cv123-GHD-RP

ROBINSON PROPERTY GROUP, LLC
d/b/a HORSESHOE CASINO

DEFENDANT

NOTICE OF REMOVAL

COMES NOW, the defendant, Robinson Property Group, LLC d/b/a Horseshoe Casino, and respectfully files this Notice of Removal to the United States District Court for the Northern District of Mississippi, Oxford Division, as follows:

I.

This civil action was originally filed in the Circuit Court of Tunica County, Mississippi on May 4, 2021, and proceeded in that Court under cause number 2021-0041. An Amended Complaint that substituted the correct defendant, Robinson Property Group, LLC, was filed in this matter on June 4, 2021. A copy of the Amended Complaint is attached to this Notice as Exhibit "A."

II.

Pursuant to 28 U.S.C. § 1446(b), Defendant files this Notice of Removal within thirty (30) days of service of the Complaint upon it. This case is removed less than one year after commencement of the State Court action, in compliance with 28 U.S.C. § 1446(c).

PARTIES

III.

Upon information and belief, Plaintiff, Sung Sil Moon, is an adult resident citizen of Germantown, Shelby County, Tennessee. Exh. “A” at ¶ 1. Thus, for purposes of diversity jurisdiction, Plaintiff is a citizen of the State of Tennessee.

IV.

Robinson Property Group, LLC is a wholly owned subsidiary of New Robinson Property, LLC (i.e. Robinson Property Group, LLC’s only member is New Robinson Property, LLC), which is owned by Horseshoe Gaming Holding, LLC and Horseshoe GP, LLC (i.e. Horseshoe Gaming Holding, LLC and Horseshoe GP, LLC are the only two members of New Robinson Property Group, LLC).

V.

Horseshoe Gaming Holding, LLC is a wholly owned subsidiary of Caesars Entertainment Operating Corp., LLC (i.e. Caesars Entertainment Operation Corp., LLC is the only member of Horseshoe Gaming Holding, LLC), which is in turn a wholly owned subsidiary of Caesars Entertainment Corporation, Inc., a Nevada and Delaware Corporation (i.e. Caesars Entertainment Operating Corp., LLC’s only member is Caesars Entertainment Corporation, Inc.). Horseshoe GP, LLC is a wholly owned subsidiary of Horseshoe Gaming Holding, LLC, as described above. For purposes of diversity jurisdiction, Robinson Property Group, LLC is a citizen of the state of the first member or member’s member that is capable of establishing citizenship. In this case, that entity is Caesars Entertainment Corporation, Inc., which is a citizen of the States of Nevada and Delaware. *See Harvey v. Gray Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008).

DIVERSITY OF CITIZENSHIP

VI.

This Court has subject matter jurisdiction over this controversy pursuant to 28 U.S.C. § 1332. The first prong of the jurisdictional statute is met as there is complete diversity of citizenship between Plaintiff, whose citizenship for diversity purposes is Tennessee, and defendant, whose citizenship for diversity purposes is a state other than Mississippi.

AMOUNT IN CONTROVERSY

VII.

The second prong of 28 U.S.C. § 1332 is also met as the amount in controversy plainly exceeds \$75,000, exclusive of interest and costs. In support, defendant would show that Plaintiff's Complaint alleges that she sustained "conscious pain and suffering, severe and painful injuries" and "mental distress, loss of enjoyment of life, and lost earning capacity" as a result of the fall in question. Exh. "A" at ¶¶ 21-22.

Given the nature and extent of the allegations made against the defendant, it is clear Plaintiff's claims for unspecified damages exceed the \$75,000 jurisdictional limit of this Court.

CONCLUSION

VIII.

This action is now removable pursuant to 28 U.S.C. §1441(a) and §1446(b), as amended, and written notice of the filing of this Notice of Removal and copies of all process, pleadings, and orders will be served upon Plaintiff's counsel as required by law. Furthermore, pursuant to the requirements of 28 U.S.C. § 1446(d), a Notice of Filing, attaching a copy of this Notice as an exhibit thereto, will be filed with the Circuit Clerk of Tunica County, Mississippi.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully submits this Notice of Removal from the Circuit Court of Tunica County, Mississippi, to the United States District Court for the Northern District of Mississippi, Oxford Division. Defendant further requests any additional relief to which it may be entitled.

DATED: June 15, 2021.

RESPECTFULLY SUBMITTED,

ROBINSON PROPERTY GROUP, LLC
d/b/a HORSESHOE TUNICA

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CERTIFICATE OF SERVICE

I, GOODLOE T. LEWIS, attorney for ROBINSON PROPERTY GROUP, LLC d/b/a HORSESHOE CASINO, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record, including:

John W. Christopher
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DATED: June 15, 2021.

/s/ Goodloe T. Lewis
GOODLOE T. LEWIS